

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

CR- 00-00008-001

MaY 30, 2008
8:35 a.m.

UNITED STATES OF AMERICA -v- FRANCISCO R. SANTOS

PRESENT: HON. ALEX R. MUNSON, Chief Judge Presiding
SANAE SHMULL, Court Reporter
K. LYNN LEMIEUX, Courtroom Deputy
BEVERLY MC CALLUM, Assistant U. S. Attorney
BRUCE BERLINE, Court Appointed Counsel for Defendant
FRANCISCO R. SANTOS, Defendant

PROCEEDING: REVOCATION HEARING

Defendant was present with his counsel, Attorney Bruce Berline. Government by Beverly McCallum, AUSA. Also present was U.S. Probation Officer, Magarita Wonenberg.

Defendant *admitted* to the violation.

Government made a recommendation of 21 months imprisonment and 15 months supervised release for this defendant. Defense counsel recommended that the defendant serve a sentence at the low end of the guidelines.

Court, after hearing all argument and testimony, ordered that the defendant's supervised release be revoked and that he be sentenced to a term of **21 Months** imprisonment. While incarcerated the defendant shall participate in a substance abuse program approved by the Bureau of Prisons. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of **15 months** with the following conditions:

- 1) The defendant shall not commit another federal, state, or local crime;
- 2) The defendant shall comply with the standard conditions of supervised release as set forth by the U.S. Probation Office;
- 3) The defendant shall not possess a firearm or other dangerous weapon;
- 4) The defendant shall refrain from any unlawful use of a controlled substance.
- 5) The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed

eight tests per month, as directed by the probation officer;

- 6) The defendant shall participate in a substance abuse treatment program approved by the U.S. Probation Office for the treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance use or abuse. The defendant shall also make a co-payment for treatment at a rate to be determined by the U.S. Probation Office;
- 7) The defendant shall refrain from any use of alcohol and shall submit to breathalyser testing as directed by the U.S. Probation Office;
- 8) The defendant shall obtain and maintain gainful employment;
- 9) The defendant shall perform 200 hours of community service under the direction of the United States Probation Office;
- 10) The defendant shall comply with all other conditions previously imposed.

Defense made a recommendation that the defendant participate in a drug treatment program while incarcerated. Court so ordered.

The defendant was remanded into the custody of the U.S. Marshal.

Adjourned at 8:45 a.m.

/s/
K. Lynn Lemieux, Courtroom Deputy